

IN UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

CODY WILLIS

PLAINTIFF

vs.

Civil No. 6:20-cv-06097

ANDREW SAUL
Commissioner, Social Security Administration

DEFENDANT

MEMORANDUM OPINION

On July 7, 2021, Defendant filed an Unopposed Motion To Reverse and Remand. ECF No. 23.¹ The motion states Plaintiff has no objections. *Id.* The parties have consented to the jurisdiction of a magistrate judge to conduct any and all proceedings in this case, including conducting the trial, ordering the entry of a final judgment, and conducting all post-judgment proceedings. ECF No. 6. Pursuant to this authority, the Court issues this memorandum opinion and orders the entry of a final judgment in this matter.

Defendant requests a remand so the Commissioner may conduct further administrative proceedings. ECF No. 23. Defendant further requests that upon remand, further consideration will be given to the issue of whether Plaintiff was unable to engage in any substantial gainful activity for a period lasting or expected to last a duration of twelve months. *Id.*

This Court finds this motion is well-taken and should be granted. The Commissioner's decision is reversed, and this matter is hereby remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings. Plaintiff may still, however, file a motion for attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412.

¹ The docket numbers for this case are referenced by the designation "ECF No." The transcript pages for this case are referenced by the designation "Tr."

A judgment incorporating these findings will be entered pursuant to Federal Rules of Civil Procedure 52 and 58.

ENTERED this 8th day of July 2021.

/s/ *Barry A. Bryant*

HON. BARRY A. BRYANT
UNITED STATES MAGISTRATE JUDGE